

OFFICE OF THE SEBASTIAN COUNTY CIRCUIT CLERK

Fort Smith District

P. O. Box 1179
901 South B Street, Room #205
Fort Smith, Arkansas 72902

Greenwood District

P. O. Box 310
Town Square
Greenwood, AR 72936

Pro Se Divorce Form Information

(please keep these instructions until you receive your court date from the Judge's office)

1. The Sebastian County Circuit Clerk's Office furnishes forms to assist people who have decided to file for divorce without the assistance of an attorney (referred to as *pro se*). Because there may be legal issues of which you are not aware you are urged to seek the assistance of an Attorney. The Circuit Clerk's office is prohibited by law from giving you legal advice, and assumes no responsibility if you choose to represent yourself. The purpose of the Circuit Clerk's office in furnishing forms for *pro se* litigants is to ensure that the Clerk's office has uniform and legible forms to deal with and to ensure that the basic information required in Arkansas to obtain a divorce is furnished.

2. You should **not** use the forms if you and your spouse have minor children together, or if you have not already agreeably divided your real and personal property and debts. If you have minor children together, or if you have issues regarding property and debts that have not been resolved, you need to seek the assistance of an Attorney.

3. You should fill in the blanks on the **Complaint** form with the requested information and you should place an X in the appropriate boxes. *You MUST have your signature notarized.* You should also fill out the **Cover Sheet** with the requested information. (You will need the **original and three** copies of the **Complaint** and the **original and one copy** of the **Cover Sheet**, the **original and three** copies of the Decree of Divorce) The Clerk will give you the case number and the name of the Judge who will hear your case when you file your **Complaint**. You do not need to fill in the information on the **Decree of Divorce** form until you receive your court date from the judge hearing your case. The cost to file your **Complaint** is \$165.00. If your spouse will sign a **Waiver of Service of Process and Entry of Appearance** form there will be no additional cost, but if it is necessary for the Sheriff to serve your **Complaint**, the Sheriff will charge an additional fee of \$50.00.

4. If you live in the Greenwood District of Sebastian County you **must** file with the Circuit Clerk's office in Greenwood. All towns in Sebastian County other than Fort Smith are in the Greenwood District. You need to fill in either Fort Smith or Greenwood where it says "District" at the top of the forms.

5. After you file your divorce **Complaint** (original + 3 copies), you must either give a file-marked copy to your spouse and have him/her sign the **Waiver of Service of Process and Entry of Appearance** form (*must have the signature notarized*) or you must have a copy of the **Complaint** and a **Summons** (which Summons is furnished with this pack) served on your spouse by the Sheriff or by certified mail. If the **Complaint** and **Summons** is served by certified mail you must file the **Affidavit of Service**, stating that you sent a file-marked copy of the **Complaint** and **Summons** to the Defendant by certified mail, return receipt requested, and you must attach the green receipt card which the post office will return to you. The card must have your spouse's signature on it. If someone else signs the green card other than your spouse the service is invalid. Your signature on the **Affidavit of Service** must be notarized. If you can't get the Defendant to sign a **Waiver of Service and Entry of Appearance** or sign the certified mail card then you need to have the Defendant served by the Sheriff.

6. After you have filed your divorce **Complaint** and your spouse's **Waiver of Service and Entry of Appearance** or other proof of service you will then need to send a letter (furnished with this pack) with a copy of your **Complaint** and a copy of your proposed **Decree of Divorce** to the Judge and ask for a court date. The judge assigned to your case is listed on the copy of the Cover Sheet. If the Judge finds you have correctly filled out your **Complaint** and **Decree of Divorce**, the judge will contact you by mail and advise you of your court date. The addresses of the two Judges who hear divorce cases are:

Judge Annie Hendricks
Division II
901 South B St, Room 214
Fort Smith, AR 72901

Judge Jim Spears
Division III
901 South B St, Room 213
Fort Smith, AR 72901

7. When you come to court you must bring a witness other than your spouse who can testify that you have lived in Arkansas for the past 60 days and that you are separated from your spouse. You need to bring **the original + three copies** of your completed **Decree of Divorce** form and each copy should be **dated** with the date of your court date. You also need to bring the copy of the **Cover Sheet** which you had filled out when you filed your Complaint.

Multiple claims. If a complaint asserts multiple claims which involve different subject matter divisions of the circuit court, the cover sheet for that division which is most definitive of the nature of the case should be selected and completed.

**COVER SHEET
STATE OF ARKANSAS
CIRCUIT COURT: DOMESTIC RELATIONS**

The domestic relations reporting form and the information contained herein shall not be admissible as evidence in any court proceeding or replace or supplement the filing and service of pleadings, orders, or other papers as required by law or Supreme Court Rule. This form is required pursuant to Administrative Order Number 8. Instructions are located on the back of the form.

FILING INFORMATION

County: SEBASTIAN District: 12TH Docket Number: DR-

Judge: _____ Division: _____ Filing Date: _____

Plaintiff: _____ Defendant: _____
Last Name First Name Last Name First Name

Date of Marriage: _____
Month Day Year

Attorney Providing Information: _____
☐ Plaintiff ☐ Defendant Address _____

Litigant, if Pro Se: _____
Address _____

Related Case(s): Judge _____ Case Number(s) _____

Type of Case: (Select One)

☐ **IV-D Case (For OCSE use only)**

<input checked="" type="checkbox"/> (DV) Divorce	<input type="checkbox"/> (CS) Custody/Visitation	<input type="checkbox"/> (DA) Domestic Abuse
<input type="checkbox"/> (DS) Divorce w/Support	<input type="checkbox"/> (SP) Child Support	<input type="checkbox"/> (FJ) Foreign Judgment
<input type="checkbox"/> (AN) Annulment	<input type="checkbox"/> (PT) Paternity	<input type="checkbox"/> (CT) Contempt
<input type="checkbox"/> (SM) Separate Maintenance	<input type="checkbox"/> (PS) Paternity/Support	<input type="checkbox"/> (BA) Body Attachment
		<input type="checkbox"/> (OT) Other _____

Manner of Filing: ☒ Original ☐ Re-Open ☐ Transfer

DISPOSITION INFORMATION

Disposition Date: _____ ☐ Bench Trial ☐ Non-Trial ☐ Jury Trial

Decree or Judgment Type:

☐ (JD) Divorce Granted
☐ (OD) Other Decree
☐ (OJ) Other Judgment

Dismissal Type:

☐ (DW) Dismissed with Prejudice
☐ (DN) Dismissed without Prejudice

Other:

☐ (TR) Transferred to Another Jurisdiction

Family Information:

☒ There are no children born of the marriage.
☐ There are children born of the marriage; See Confidential Data AOC Form 35

Public Law 104-193 Information:

<input type="checkbox"/> () Custody Placed With:	<input type="checkbox"/> Plaintiff	<input type="checkbox"/> Defendant	<input type="checkbox"/> Other (Name) _____
<input type="checkbox"/> () Child Support	<input type="checkbox"/> New	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated
<input type="checkbox"/> () Spousal Support	<input type="checkbox"/> New	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated
<input type="checkbox"/> () Order of Protection	<input type="checkbox"/> Plaintiff	<input type="checkbox"/> Defendant	<input type="checkbox"/> Child
<input type="checkbox"/> () Income Withholding			

Judgment Amount \$ _____

Clerk Signature _____
AOC 24 7-05
625 Marshall Street
Little Rock AR 72201

Date _____
Send 1 paper or electronic copy to AOC upon Filing.
Send 1 paper or electronic copy to AOC upon Disposition.
Keep original in Court file.

Effective 8-12-2005

**CONFIDENTIAL INFORMATION
FOR USE BY THE CIRCUIT CLERK'S OFFICE ONLY**

PLAINTIFF: _____

RESIDENTIAL ADDRESS: _____

CITY/STATE/ZIP: _____

AR DRIVER'S License Number: _____

SOCIAL SECURITY NUMBER: _____

DATE OF BIRTH: _____

DEFENDANT: _____

RESIDENTIAL ADDRESS: _____

CITY/STATE/ZIP: _____

AR DRIVER'S License Number: _____

SOCIAL SECURITY NUMBER: _____

DATE OF BIRTH: _____

***This information sheet will be shredded after use; it will NOT be placed in the file or scanned**

IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS
FORT SMITH/GREENWOOD DISTRICT
DOMESTIC RELATIONS DIVISION _____

PLAINTIFF

Name of Plaintiff

Street Address

City / State/ Zip Code

VS.

CASE NO. DR-_____

DEFENDANT

Name of Defendant

Street Address

City / State / Zip Code

COMPLAINT FOR DIVORCE

Comes now the plaintiff, _____, *pro se*, and for his/her complaint
for divorce against the defendant, _____, states and alleges:
Name of Plaintiff
Name of Defendant

1. ☐ The plaintiff is a resident of the **Fort Smith** District of Sebastian County, Arkansas,
and has been a resident of the state of Arkansas for more than sixty days before filing of this
complaint.

☐ The plaintiff is a resident of the **Greenwood** District of Sebastian County, Arkansas
And has been a resident of the state of Arkansas for more than sixty days before the filing of this
complaint.

2. The parties were lawfully married on _____ and separated on _____
Date

_____, since which time they have lived separate and apart.

3. ☐ No children were born of the marriage and none are expected.

☐ There are no children who were born of the marriage who are now under the age of eighteen, and none are expected.

4. The parties have already divided their personal property to their mutual satisfaction.

5. ☐ There is no marital real estate to divide.

☐ The parties have already divided their marital real estate to their mutual satisfaction.

6. The parties have agreed that each party will be responsible for those debts in his or her separate name.

7. The defendant has treated the plaintiff with such general indignities as to make plaintiff's life intolerable and to entitle plaintiff to an absolute divorce.

8. ☐ Wife desires to be restored to her former name of _____.

☐ Wife desires to retain her present name.

WHEREFORE, plaintiff prays that the court award plaintiff an absolute divorce and for all other relief to which plaintiff is entitled.

Plaintiff

VERIFICATION

I, _____, plaintiff, state that the statements contained in the foregoing complaint are true and correct to my knowledge and belief.

Plaintiff

[illegible]

On this ____ day of _____, _____, personally appeared before me, a Notary Public for the aforesaid state and county, _____, to me well-known or satisfactorily proven, who stated that the statements in the foregoing complaint were true and correct to the best of his/her knowledge and belief.

SUBSCRIBED AND SWORN TO before me this _____ day of _____, _____.

Notary Public

My Commission Expires:

IN THE TWELFTH JUDICIAL DISTRICT
STATE OF ARKANSAS
CIRCUIT COURT

FILED

AT SMITH DIST.

2015 JAN 8 AM 11 41

ADMINISTRATIVE ORDER NO. 1

CIR. CLERK SEB. CO.

All parties to domestic relations actions in Sebastian County are subject to this Order until modified by subsequent Order. This Order remains in effect even after a final Order or Decree has been entered unless modified thereafter by Order of Decree.

1. Each party is Ordered not to bother, harm, or threaten with harm, any other party of family member.
2. Each party is Ordered not to remove, nor to threaten to remove the parties' minor child or children from the State of Arkansas, or to hide their location from the other party.
3. Each party is Ordered not to sell, encumber, mortgage, or dispose of any property belonging to the parties, nor to permanently remove any such property from this State, excepting however, matters in the ordinary course of operating an ongoing business, which shall be accounted for.
4. Each party is Ordered not to obligate the other party on any debt except for absolute necessities.
5. The Plaintiff's attorney shall furnish the Plaintiff with a copy of this Order at the time the Complaint is filed.
6. The Clerk shall attach a copy of this Order to the summons and the Sheriff, his Deputy, a Process Server, or Plaintiff's attorney shall serve the Summons with a copy of this Order attached to it on the Defendant and note the same on the return or affidavit of service.
7. If the Defendant enters his appearance without being served the Defendant shall be furnished a copy of this Order by Plaintiff's attorney and the Entry of Appearance shall reflect that the Defendant received the same.

IT IS SO ORDERED this 5th day of January, 2015.

Annie Powell Hendricks
Annie Powell Hendricks, Circuit Judge, Division II

Jim Spears
Jim Spears, Circuit Judge, Division III

Leigh T. Zuerker
Leigh T. Zuerker, Circuit Judge, Division IV



IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS

Fort Smith / Greenwood
DISTRICT
DOMESTIC RELATIONS DIVISION ____

Name of Plaintiff

PLAINTIFF

VS.

CASE NO. DR-_____

Name of Defendant

DEFENDANT

WAIVER OF SERVICE OF PROCESS AND ENTRY OF APPEARANCE

The defendant, _____, comes before the court and states that the defendant has received a file marked copy of the complaint that has been filed in this case and that he/she waives the necessity of having the complaint served on him/her by the sheriff or by mail. The defendant further states that the court may proceed to hear this matter without further notice to the defendant and that the relief requested in the complaint by the plaintiff may be granted to the plaintiff without objection by the defendant.

Signature of defendant

STATE OF ARKANSAS

COUNTY OF SEBASTIAN

Subscribed and sworn to before me, a Notary Public, this _____ day of _____, 201__

Notary Public

My Commission Expires: _____

IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS

DISTRICT

Fort Smith / Greenwood

DOMESTIC RELATIONS DIVISION ____

Name of Plaintiff

PLAINTIFF

VS.

CASE NO. DR-_____

Name of Defendant

DEFENDANT

AFFIDAVIT OF SERVICE

I, _____, after being duly sworn, state that on _____,
name of plaintiff

_____, 201__ I mailed copies of the complaint for divorce and a copy of the summons to the
defendant, _____, at his/her address of
_____, by certified mail, restricted delivery, return receipt
requested.

The complaint and summons were delivered to the defendant as is shown by the return
receipt attached to this affidavit which bears the signature of the defendant.

Signature of plaintiff

STATE OF ARKANSAS

COUNTY OF SEBASTIAN

Subscribed and sworn to before me, a Notary Public, this ____ day of
_____, 201__

Notary Public

My Commission Expires:

IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS

_____ DISTRICT

_____ DIVISION _____

SUMMONS

Case No.: _____

PLAINTIFF(S):

DEFENDANT(S):

PLAINTIFF'S ATTORNEY:

DEFENDANT'S ADDRESS:

THE STATE OF ARKANSAS TO DEFENDANT(S): _____

NOTICE

1. You are hereby notified that a lawsuit has been filed against you; the relief asked is stated in the attached complaint.
2. The attached complaint will be considered admitted by you and a judgment by default may be entered against you for the relief asked in the complaint unless you file a pleading and thereafter appear and present your defense. Your pleading or answer must meet the following requirements:
 - A. It must be in writing, and otherwise comply with the Arkansas Rules of Civil Procedure.
 - B. It must be filed in the court clerk's office within THIRTY (30) days from the day you were served with this summons.
3. If you desire to be represented by an attorney you should immediately contact your attorney so that an answer can be filed for you within the time allowed.

Additional notices:

WITNESS my hand and the seal of the court this date _____

Address of Clerk's office:

Sebastian County Circuit Clerk

Sebastian County Courts Building

_____, Arkansas 72901

DENORA COOMER

CIRCUIT CLERK

By: _____ D.C.

(SEAL)

RETURN

STATE OF ARKANSAS, COUNTY OF _____ :

On this _____ day of _____, 201__ at _____ o'clock _____.M.,
I have duly served the within summons by delivering a copy thereof (or stating the substance thereof),
together with a copy of the complaint, to
such person being:

CHECK APPLICABLE SQUARE:

- ☐ the person named therein as defendant.
☐ a member of the defendant's family above 14 years of age at defendant's usual place of abode, namely

- ☐ the duly designated agent for service of process for the defendant, namely _____

OTHER: _____

_____, SHERIFF

By: _____

Deputy Sheriff

IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS
FORT SMITH/GREENWOOD DISTRICT
DOMESTIC RELATIONS DIVISION ____

Name of Plaintiff

PLAINTIFF

VS.

CASE NO. DR-_____

Name of Defendant

DEFENDANT

DECREE OF DIVORCE

Now on this ____ day of _____, 201__, this cause comes on for hearing with the plaintiff, _____, appearing in person, *pro se*, and the defendant, _____, having been properly served, or having entered his/her appearance, appears not. After considering the testimony of the plaintiff and plaintiff's witness, the court finds:

1. This court has jurisdiction of the parties and subject matter of this cause of action.
2. The plaintiff has proved the allegations of his/her complaint by a preponderance of the evidence and the plaintiff is entitled to an absolute divorce on the grounds of general and personal indignities.
3. The Parties were married on or about _____.
4. ☐ There were no children born of the marriage and none are expected.
- ☐ The children born of the marriage are now adults.

5. Each party is awarded that personal property now in his or her possession free and clear of any claims of the other party. Each party shall sign and deliver to the other any document of title necessary to give full title to the other person.

6. ☐ There is no marital real estate to divide.

☐ The marital real estate has already been divided.

7. Each party will be responsible for those debts in his or her separate name.

8. ☐ The wife is restored to her former name of _____.

☐ The wife desires to retain her present name.

IT IS SO ORDERED, ADJUDGED, AND DECREED.

Circuit Judge

Date

Honorable _____
Circuit Judge
901 South B Street
Fort Smith AR 72901

RE: _____ VS _____
Plaintiff name Defendant name

Sebastian County Circuit Court Case Number DR-_____

Dear Judge _____:

Please set the above referenced case for an Uncontested Hearing at the Court's earliest convenience.

The Defendant: _____ was served with a Summons

_____ signed a Waiver of Service of Process and
Entry of Appearance

Thank you for your attention and consideration in this matter.

Sincerely,

_____signature

_____print name

_____address

_____address

IN THE TWELFTH JUDICIAL DISTRICT
STATE OF ARKANSAS
CIRCUIT COURT

FILED

AT SMITH DIST.

2015 JAN 8 AM 11 41

ADMINISTRATIVE ORDER NO. 1

CIR. CLERK SEB. CO.

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4. Each party is Ordered not to obligate the other party on any debt except for absolute necessities.

5. The Plaintiff's attorney shall furnish the Plaintiff with a copy of this Order at the time the Complaint is filed.

6. The Clerk shall attach a copy of this Order to the summons and the Sheriff, his Deputy, a Process Server, or Plaintiff's attorney shall serve the Summons with a copy of this Order attached to it on the Defendant and note the same on the return or affidavit of service.

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IT IS SO ORDERED this 5th day of January, 2015.

Annie Powell Hendricks
Annie Powell Hendricks, Circuit Judge, Division II

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Jim Spears, Circuit Judge, Division III

Leigh T. Zuerker
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